

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

LYNEISHA FORD,

Plaintiff,

Case No.: 09-CV-0627-S

v.

PRINCIPAL RECOVERY GROUP, INC.,

Defendant.

AFFIDAVIT OF CHRISTOPHER O'NEILL

STATE OF NEW YORK)
)
) ss.:
COUNTY OF ERIE)

CHRISTOPHER O'NEILL, being duly sworn, hereby deposes and says:

1. I am the President of Defendant Principal Recovery Group, Inc. (hereafter "PRG"), and as such, I am fully familiar with all of the facts and circumstances surrounding this claim, and the policies and procedures followed by PRG and its staff.
2. When I started with PRG in June 2008, PRG had an existing account with Timothy Mahoney, D.D.S., wherein Dr. Mahoney referred cases to PRG for debt collection.
3. Eva Toy was hired by PRG in February 2009.
4. On January 17, 2008, PRG mailed Plaintiff a notice identifying itself as a debt collection agency and notifying Plaintiff that she had an outstanding balance of \$180.39 for services rendered by Dr. Mahoney. A copy of this notice is attached as **Exhibit A**.

HOGAN WILLIG

Attorneys at Law

2410 NORTH FOREST ROAD | SUITE 301 | AMHERST, NEW YORK 14068
Phone: 716.636.7600 | Toll Free: 800.636.5255 | Fax: 716.636.7606 | www.hoganwillig.com

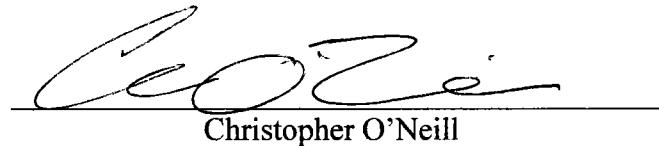
5. On March 19, 2009, PRG mailed Plaintiff a second notice indicating that Plaintiff's account was assigned to Defendant by Dr. Timothy Mahoney to collect the balance of \$180.39 owed by Plaintiff to Dr. Mahoney. A copy of this notice is attached as **Exhibit B**.

6. PRG's business telephone records, which are kept in the ordinary course of PRG's business, document that a call came in from the Plaintiff to PRG on April 1, 2009, at approximately 2:13 p.m. A copy of the call log is attached as **Exhibit C**.

7. PRG's business telephone records, which are kept in the ordinary course of PRG's business, document that a second telephone call came in from Plaintiff to PRG on April 1, 2009, at approximately 3:36 p.m. See attached **Exhibit C**.

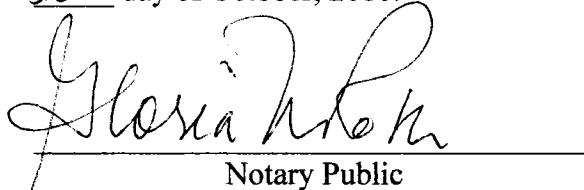
8. The attached Exhibits are true and accurate copies of business records which are kept in the ordinary course of PRG's business.

9. I swear under penalty of perjury that the foregoing is accurate and true to the best of my knowledge.



Christopher O'Neill

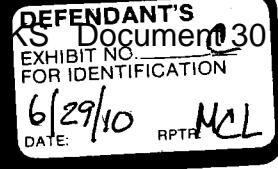
Sworn and subscribed to before me this
26 day of October, 2010.



Notary Public

Gloria M. Roth
Notary Public, State of New York
Qualified in Erie County
My Commission Expires 7-31-2013

EXHIBIT A



Principal Recovery Group
PO Box 2205
Buffalo, NY 14240

Principal
Recovery Group, Inc

Phone: 1-866-383-3024 or 1-716-824-0333 Fax: 716-824-0336

Current Creditor: Dr. Timothy Mahoney, D.D.S.

Reference: 103000

Balance: \$180.39

January 17, 2008

LYNEISHA FORD
69 CONDON AVE.
BUFFALO, NY 14207

Mail to: Principal Recovery Group, Inc
PO Box 2205
Buffalo, NY 14240

Please check box if above address is incorrect
and indicate change(s) on reverse.

▼Please detach and return top portion with your payment▼

Dear Lyneisha Ford;

The account listed above has been placed with our agency for collection.

Your account is seriously past due and must be paid in full or we will proceed with appropriate collection activity.

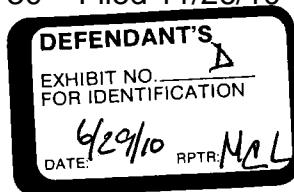
Please remit the entire balance due to our office immediately and make the payment payable to Principal Recovery Group, Inc. The mailing address is found at the top of this letter.

If you have any questions or wish to discuss your account with one of our representatives, please call our toll free number at 1-866-383-3024.

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. THIS IS A COMMUNICATION FROM A DEBT COLLECTOR.

UNLESS YOU NOTIFY THIS OFFICE WITHIN 30 DAYS AFTER RECEIVING THIS NOTICE THAT YOU DISPUTE THE VALIDITY OF THE DEBT OR ANY PORTION THEREOF, OUR OFFICE WILL ASSUME THIS DEBT IS VAILD. IF YOU NOTIFY THIS OFFICE IN WRITING WITHIN 30 DAYS FROM RECIVNG THIS NOTICE THAT YOU DISPUTE THIS DEBT OR ANY PORTION THEREOF, THIS OFFICE WILL OBTAIN VERIFICATION OF THE DEBT OR OBTAIN A COPY OF A JUDGEMENT AND MAIL YOU A COPY OF SUCH JUDGEMENT OR VERIFICATION. UPON YOUR WRITTEN REQUEST WITHIN 30 DAYS AFTER RECEIVING THIS NOTICE, THIS OFFICE WILL PROVIDE YOU WITH THE NAME AND ADDRESS OF THE ORIGINAL CREDITOR, IF DIFFERENT FROM THE CURRENT CREDITOR.

EXHIBIT B



PRG Inc
PO BOX 2205
BUFFALO, NY 14240

March 19, 2009

LYNEISHA FORD
556 E AMHERST APT 1
BUFFALO, NY, 14215

CREDITOR: DR. TIM MAHONEY
ACCOUNT#: 356935632
CLIENT ACCOUNT# ..: 103000

BALANCE: \$180.39

Dear LYNEISHA FORD ,

Principal Recovery Group has been assigned the above mentioned account for immediate collection of the balance in full.

Please contact this office immediately so that arrangements may be made and any further action may be stopped, or send a certified check or money order to the address listed below. If after 30 days we have received no payment, this matter will be reported to any and or all credit reporting agencies.

Sincerely,

PRINCIPAL RECOVERY GROUP
PO BOX 2205
BUFFALO, NY 14240
TOLL FREE: 1-866-383-3024
LOCAL: 1-716-824-0333
FAX: 1-716-824-0336

Unless this account or any portion thereof is disputed within 30 days from receipt of this notice, we will assume this debt to be valid, and continue collection efforts. If you dispute this debt or any portion thereof within this 30 day time period we will furnish at your written request, a verification of this debt, or the name and address of the original creditor. This is an attempt to collect a debt. Any information obtained will be used for that purpose.

EXHIBIT C

NEISHA FORD
556 E AMHERST APT 1
BUFFALO, NY 14215

T| Res: 716-862-9584
O| Emp:
R| Bus:
| SSN: 104-68-7154

Our File #...: 356935632
Client Acct #: 103000
Date Listed.: 01/17/2008
Balance.....: \$180.39
Collector....: JC
Sales.....: 37.000%
Status.....: COL
Mode.....: Active

C| DR. TIM MAHONEY
L| Contact:
I| 936 DELAWARE AVE.
E| SUITE 405, BUFFALO, NY 14209
N| Ph.: 716-884-7551
T| Fax:

Client Number..: 108



I| Charged.....: 01/03/2007
D| Judgement Date.:
A| Delinquent.....:
T| Listed.....: 01/17/2008
E| Last Payment...:
S| Last Worked....: 10/14/2009
| Closed.....:

Principal...:	\$180.39	A
Judgement...:		M
Interest....:		O
Fees.....:		U
Paid.....:		N
Adjustment...:		T
Owing.....:	\$180.39	S

SUMMARY:

Notes:(Last 20 Lines ONLY)

04/01/2009 15:36:05 COL ET : dtr was looking for settlement. expl we dont settle she will go to bank and get money in checkg acct and cub.
 04/01/2009 14:13:02 COL ET : dtr said she never went to this dds asked for contact info and said she is going to call them re bal. and wcub.
 03/31/2009 09:53:24 COL ET : lm rl
 03/25/2009 17:45:30 COL MEG : DTR CLAIMS NEVER WENT TO THIS DENTIST..
 03/19/2009 09:24:24 COL ET : Printed: CLIENT DUNNINGS
 09/24/2008 09:14:04 ACT TS : LMOM

Printed October 14, 2009

CS/10802